

April 21, 2025

LAURA A. AUSTIN, CLERK  
BY: S/J. Vasquez  
DEPUTY CLERKIN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

DONALD WAYNE BARKSDALE, )  
Plaintiff, ) Civil Action No. 7:25cv00214  
v. )  
DONALD TRUMP, et al., ) OPINION and ORDER  
Defendants. )  
By: Robert S. Ballou  
United States District Judge

Plaintiff Donald Wayne Barksdale, a Virginia inmate proceeding *pro se*, has filed this civil rights action under 42 U.S.C. § 1983 against the current President of the United States, the Attorney General of the United States, and the Congress of the United States. In preliminary screening of this case, required by 28 U.S.C. § 1915A(a), I find the Complaint to be frivolous and without merit. Accordingly, I will dismiss the Complaint.

Barksdale alleges constructive fraud and deprivation of inherent natural right to liberty, to contract, and due process of law. He further claims that he is being held “captive and confined to a United States federal corporation concentration camp in the State of Virginia (a sub-corporation of the United States,” which is “a human rights violation and crime against humanity.” Compl. at 5. He alleges that federal laws are for artificial beings, not for “live living flesh and blood beings” unless they consent. Finally, he asserts that the defendants are unlawfully enriching themselves by unlawfully creating and enforcing statutes against living beings for money.

Barksdale is in state custody for violations of state law that have nothing to do with federal laws and statutes. Further, these allegations have the “hallmarks of the ‘sovereign citizens’ movement, whose followers believe they have special rights and often object to jurisdiction on frivolous and unfounded grounds.” *Rosser v. Carson*, No. 7:19CV00156, 2019 WL 1474009, at \*2 n.2 (W.D. Va. April 3, 2019). The arguments state no violation of the

Constitution or federal law; they are patently frivolous and without merit, having no conceivable validity in American law. *Id.* (internal citations omitted). Finally, the defendants are immune from suit. *Nixon v. Fitzgerald*, 457 U.S. 731, 755 (1982) (President has absolute immunity from civil damages liability for actions performed in the scope of his official duties, including those duties at the “outer perimeter” of his official responsibility); *Ashcroft v. al-Kidd*, 563 U.S. 731, 733–35 (2011) (Attorney General has qualified immunity unless plaintiff pleads facts showing that he violated a statutory or constitutional right and that the right was clearly established at the time of the challenged conduct); *Doe v. McMillan*, 412 U.S. 306, 312 (1973) (Congressmen are absolutely immune from liability for their actions performed within the legislative sphere).

For the reasons stated, it is **ORDERED** that the Complaint under 42 U.S.C. § 1983 is summarily **DISMISSED** pursuant to 28 U.S.C. § 1915A(b)(1)–(2) as frivolous and failing to state a claim for which relief may be granted. Plaintiff’s Motion for Leave to Proceed *in forma pauperis* (ECF No. 2) is **DISMISSED** as moot, and this action is **STRICKEN** from the docket of the court.

The Clerk is directed to send a copy of this Opinion and Order to Mr. Barksdale.

Enter: April 18, 2025

*ts/ Robert S. Ballou*

Robert S. Ballou  
United States District Judge